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PUNJAB VIDHAN SABHA SECRETARIAT

NOTIFICATION

The 10th March, 2023

No. 7-PLA-2023/12.- The Punjab State Commission for Scheduled Castes (Amendment) Bill, 2023 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):-

BILL NO. 7-PLA-2023

THE PUNJAB STATE COMMISSION FOR SCHEDULED CASTES (AMENDMENT) BILL, 2023

A

BILL

further to amend the Punjab State Commission for Scheduled Castes Act, 2004.

BE it enacted by the Legislature of the State of Punjab in the Seventy-fourth Year of the Republic of India as follows:-

Short title and
commencement.

1. (1) This Act may be called the Punjab State Commission for Scheduled Castes (Amendment) Act, 2023.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment in
section 2 of
Punjab Act 5 of
2004.

2. In the Punjab State Commission for Scheduled Castes Act, 2004 (hereinafter referred to as the principal Act), in section 2,-

(i) in clause (d), for the words and signs "Chairperson, Senior Vice-Chairperson, Vice-Chairperson", the word "Chairperson" shall be substituted;

(ii) in clause (f), for the sign appearing at the end ";", the word and sign "and;" shall be substituted; and

(iii) clauses (h) and (i) shall be omitted.

Amendment in
section 3 of
Punjab Act 5 of
2004.

3. In the principal Act, in section 3, in sub-section (2),-

(i) clause (aa) shall be omitted; and

(ii) for clause (b), the following clause shall be substituted, namely:-

"(b) not more than five non-official members from amongst the members of the Scheduled Castes, who may be appointed by the Government from amongst the persons of ability, integrity and standing, who have served for the welfare and upliftment of the Scheduled Castes:

Provided that out of five non-official members, at least one shall be a woman;"

Amendment in
section 4 of
Punjab Act 5 of
2004.

4. In the principal Act, in section 4,-

(i) in the margin, for the words and signs "Chairperson, Senior Vice-Chairperson, Vice-Chairperson", the word "Chairperson" shall be substituted;

- (ii) for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:-

"(1) The Chairperson and non-official members shall hold office for a period of three years which may be extendable up to two years:

Provided that where the Chairperson and non-official members attain the age of sixty-five years before the expiry of the aforesaid term of three years, he shall vacate his office on the day on which he attains such age.

(2) The Chairperson and non-official members may, at any time, by writing and addressed to the Government, resign from the office of the Chairperson or of the office of the member, as the case may be.";

- (iii) in sub-section (3), for the words and signs "Chairperson or Senior Vice-Chairperson or Vice-Chairperson", the word "Chairperson" shall be substituted;

- (iv) in sub-section (4), in the proviso, for the words and signs "Chairperson, the Senior Vice-Chairperson or the Vice-Chairperson, as the case may be," the word "Chairperson" shall be substituted; and

- (v) in sub-section (5), for the words and signs "Chairperson, the Senior Vice-Chairperson, the Vice-Chairperson", the word "Chairperson" shall be substituted.

5. In the principal Act, in section 6, for the words and signs "Chairperson, Senior Vice-Chairperson, Vice-Chairperson", the word "Chairperson" shall be substituted. Amendment in section 6 of Punjab Act 5 of 2004.

6. In the principal Act, in section 7, for the words and signs "Chairperson or the Senior Vice-Chairperson or the Vice-Chairperson", the word "Chairperson" shall be substituted. Amendment in section 7 of Punjab Act 5 of 2004.

Amendment in
section 20 of
Punjab Act 5 of
2004.

7. In the principal Act, in section 20 and in the margin thereof, for the words and signs "Chairperson, Senior Vice-Chairperson, Vice-Chairperson", the word "Chairperson" shall be substituted.

Amendment in
section 22 of
Punjab Act 5 of
2004.

8. In the principal Act, in section 22, for the words and signs "Chairperson or the Senior Vice-Chairperson or the Vice-Chairperson", the word "Chairperson" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Punjab State Commission for Scheduled Castes has been constituted under the 'The Punjab State Scheduled Caste Commission Act, 2004' with a view to protect and safeguards the interest of the members of the Scheduled Castes in the State of Punjab, to recommend the remedial measures for their welfare and development and for the matters connected therewith or incidental thereto.

2. The proposed amendments in the 'The Punjab State Scheduled Caste Commission Act, 2004' are with regard to reduce the number of Non-official Members in the State SC Commission, re-fixing the tenure of the office of Chairperson and Non-official Members of the State SC Commission and re-fixing the upper age limit for appointment as Chairperson and Non-official Members in the State SC Commission.
3. The proposed amendments will help the better management of Manpower in SC Commission and Finances of the State. Moreover, it will help to provide opportunities to more SC people to serve in the Commission.
4. The Punjab State has the highest population of the Scheduled Castes population i.e (31.94 %) as per the census of 2011. The Commission has since been assigned the powers and functions in regard to investigate all matters relating to safeguard the interest of the Scheduled Castes under the Constitution of India or under any other law besides making recommendation to effect implementation of such safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled castes. All these matters necessitate having a seasoned and well experienced person as Chairperson and non-official members of the Commission.
5. Hence, these amendments in the Act *ibid* are essentially required.

DR. BALJIT KAUR
Minister of Social Justice,
Empowerment and Minorities, Punjab.

FINACIAL MEMORANDUM

The Punjab State Commission for Scheduled Castes Amendment Bill, 2023 aims to decrease in the number of Non-official Members, re-fixing tenure of the office of Chairperson and Non-official Members and upper age limit for appointment as Chairperson and Non-official will help the better management of Manpower in SC Commission and Finances of the State. Moreover, it will help to provide opportunities to more SC people to service in the Commission .This Bill involves Financial implication and according to letter no. File No. FD-FE-60MISC/87/2022-5FE6/I/427215/2022, Dated 15.09.2022 of Finance Department also approved this amendment. By virtue of this amendment, there shall be smooth working of the commission and there will be also decreasing in the sitting fees per meeting as this amendment will decrease the number of members from 10 to 5.

The Governor has, in pursuance of clause (1) and (3) of Article 207 of the Constitution of India, recommended to the Punjab Legislative Assembly, the introduction and consideration of the Bill.

CHANDIGARH
THE 10TH MARCH, 2023

SURINDER PAL
SECRETARY.